

REMARKS

Applicants respectfully request reconsideration of this application in view of the foregoing amendments and following remarks.

A. Status of the Claims

Claims 1-3, 5 and 7-11 are pending and have been rejected. Applicants are amending claim 1 to recite “an aqueous medium” and “the polymer compound being an amphipatic block polymer compound including a hydrophobic block segment having a monomer unit represented by the general formula (1).” Support for this amendment is found throughout the application as filed, including for example on page 12, line 9-12, page 18, lines 8-10 and page 19, lines 14-25. No new matter will be introduced by entry of this amendment. Entry is respectfully requested.

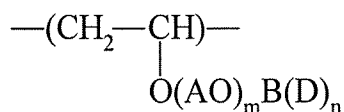
In the Office Action issued on August 11, 2006, claims 1-3, 5 and 7-11 were rejected pursuant to 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Application Publication No. 2003/0236343 to Sato et al. (“Sato ‘343”). The Office Action also rejected claims 1, 3, 5, and 7-11 pursuant to 35 U.S.C. § 102(e) as allegedly anticipated by U.S. Patent Application Publication No. 2003/0232904 to Sato et al. (“Sato ‘904”).

B. Applicants’ Claims Are Patentable Over the Sato ‘343 and Sato ‘904 Applications

Applicants respectfully traverse the rejections of claims 1-3, 5 and 7-11. As discussed below, the Sato ‘343 and Sato ‘904 applications cannot anticipate these claims since these applications do not teach, disclose or suggest all of the elements of Applicants’ independent claim 1.

Applicants’ claim 1 recites:

A dispersible composition comprising
 a polymer compound,
 a functional substance, and
 an aqueous medium,
 the polymer compound being an amphipatic
 block polymer compound including a hydrophobic
 block segment having a monomer unit represented
 by the general formula (1)



wherein

A is a straight-chain or branched
 alkylene group of 1 to 15 carbon atoms with or
 without substitution; m is an integer of 0 to 30, and
 when m is 2 or more, A is the same or different with
 each other;

B is a single bond or an alkylene
 with or without substitution;

D is an aromatic ring unsubstituted
 or substituted with alkyl or alkoxy;

n is an integer of 1 to 10, and
 when n is 2 or more, D is the same or
 different with each other; and

wherein the polymer compound is a block
 polymer; and

wherein the functional substance is
 encapsulated in the polymer compound.

The Office Action agreed that the block polymer of Sato '343 is obtained from

monomer of the formula

$$\text{---}(\text{CH}_2\text{---CH})\text{---}$$

$$\quad \quad \quad |$$

$$\quad \quad \quad \text{O}(\text{AO})_m\text{B}(\text{D})_n\text{COOR}$$

. However, the Office Action alleges that

Sato '343 disclose that the block polymer contains the above monomer "as well as vinyl ether of

the formula:

$$\text{---}(\text{CH}_2\text{---CH})\text{---}$$

$$\quad \quad \quad |$$

$$\quad \quad \quad \text{OR}^1$$

wherein R^1 is $(\text{CH}(\text{R}^2)\text{---CH}(\text{R}^3)\text{---O})_p\text{---R}^4$ wherein R^4 is phenyl that
 is unsubstituted or substituted with $\text{C}_1\text{---C}_4$ alkyl group, R^2 and R^3 are each hydrogen, and p is 1-
 18 which meets the requirements of the present claims with respect to formula (1)." (8/11/06

Office Action, p. 5). Applicant's claim 1 recites a hydrophobic block segment having a monomer unit represented by the general formula (1). Sato '343 does not teach, disclose or suggest whether the vinyl ether monomer unit is located on a hydrophobic or a hydrophilic polymer segment.

The Office Action contends that "Sato et al. '904 disclose dispersible composition including ink or toner comprising medium that is solvent, functional substance, i.e. colorant, and amphipathic block polymer comprising monomer of the formula
$$\text{---}(\text{CH}_2\text{---}\underset{\text{OR}^1}{\text{CH}}\text{---})$$
 wherein R^1 is $(\text{CH}(\text{R}^5)\text{---}\text{CH}(\text{R}^6)\text{---}\text{O})_p\text{---}\text{R}^7$ wherein R^7 is phenyl that is unsubstituted or substituted with $\text{C}_1\text{---}\text{C}_4$ alkyl group, R^5 and R^6 are each hydrogen, and p is 1-18." (8/11/06 Office Action, p. 4). Sato '904 is directed to a composition comprising a non-aqueous solvent containing reverse micelle particles formed of block polymers having amphipathic properties. By contrast, Applicants' claim 1 recites an amphipathic block polymer in an aqueous medium.

Accordingly, neither Sato '343 nor Sato '904 teach, disclose, or suggest all of the claim elements of Applicants' claim 1. For at least the reasons discussed above, Applicants respectfully submit that claim 1 is not anticipated by either Sato '343 or Sato '904 and that the §102(e) rejections of claim 1 should be withdrawn. Because claims 2-3, 5 and 7-11 depend therefrom, Applicants believe these claims are also allowable for at least similar reasons.

CONCLUSION

For the above-stated reasons, this application is respectfully asserted to be in condition for allowance. An early and favorable examination on the merits is requested. In the event that a telephone conference would facilitate the examination of this application in any way, the Examiner is invited to contact the undersigned at the number provided.

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY ADDITIONAL FEES WHICH MAY BE REQUIRED FOR THE TIMELY CONSIDERATION OF THIS AMENDMENT UNDER 37 C.F.R. §§ 1.16 AND 1.17, OR CREDIT ANY OVERPAYMENT TO DEPOSIT ACCOUNT NO. 13-4500, ORDER NO. 1232-5077.

Respectfully submitted,
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By. 

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